

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
CENTRAL VALLEY REGION

CLEANUP AND ABATEMENT ORDER NO. R5-2007-0710

FOR

SUMITTAR P. SHARMA. AND AKSHMA K. SHARMA
PAVITTER SAHOTA AND PARAMJIT SAHOTA
P & P KWIK TRIP (FORMERLY AGV GAS AND LIQUOR)
4881 OLIVEHURST AVENUE
OLIVEHURST, CALIFORNIA 95961

This Order is issued to Sumittar P. Sharma and Akshma K. Sharma, and Pavitter Sahota and Paramjit Sahota, hereafter referred to as Dischargers, based on provisions of California Water Code section 13304, which authorizes the California Regional Water Quality Control Board, Central Valley Region (hereafter Regional Water Board) to issue a Cleanup and Abatement Order (Order), and Water Code section 13267, which authorizes the Water Board to require preparation and submittal of technical and monitoring reports.

The Executive Officer finds, with respect to the Dischargers' acts or failure to act, the following:

PROPERTY OWNERSHIP AND OPERATIONS

1. According to Yuba County records, Sumittar P. Sharma and Akshma K. Sharma were the owners and operators of the gasoline station located at 4881 Olivehurst Avenue in Olivehurst, California at the time the release of petroleum hydrocarbons was discovered in June 1999. As owners and operators at a UST system that discharged wastes, Sumittar P. and Akshma K. Sharma are Dischargers.
2. The present owners, Pavitter and Paramjit Sahota, acquired the property in February 2005 and it remains an operating vehicle fueling station called P & P Kwik Trip. There is no evidence at this time that a release from the current fueling system has occurred during Pavitter and Paramjit Sahota's ownership of the business. However, since Pavitter and Paramjit Sahota are the current owners of the land, they are also named as Dischargers.

BACKGROUND

3. On 15 June 1999, three 8,000 gallon USTs and associated piping were excavated and removed from a common basin in the southwest portion of the site. Some corrosion was noted on the piping, but the tanks appeared to be in good condition. Eight soil samples were collected from the tank and dispenser excavations and one composite sample from the excavation pile. The depths ranged from 3.5 feet to 15 feet. The samples were analyzed for TPH-G, BTEX, and MTBE. All the samples were below reporting limits except for MTBE, which was detected at 0.10 mg/kg and 0.24 mg/kg from under a dispenser and from the excavation pile, respectively. Eight soil samples were also analyzed for total lead and the concentrations were between 7 and 12 mg/kg.

4. On 9 July 1999, three additional soil samples were collected at a depth of 2 feet and analyzed for the other fuel oxygenates as well as the above listed constituents. Total lead was detected at 110 mg/kg from sample #3. The other two samples for lead were at 12 mg/kg. None of the fuel oxygenates were detected above reporting limits. TPH-G was detected at 100 and 120 mg/kg in two of the samples and not detected above 1 mg/kg in the third sample. No benzene was detected, and toluene, ethylbenzene, and xylenes were less than 4 mg/kg.
5. On 23 August 1999, the Yuba County Office of Emergency Services issued a letter to Mr. Sharma requesting a workplan for the subsurface investigation for the property at 4881 Olivehurst Avenue in Olivehurst. An Unauthorized Release (Leak)/Contamination Site Report was submitted by Yuba County on 26 August 1999.
6. After Yuba County approval, Mr. Sharma's consultant, Advanced GeoEnvironmental, Inc., conducted a Preliminary Site Assessment in September 1999. Three soil borings were drilled, and one of them was converted to a monitoring well. The samples from each boring were analyzed for TPH-G, BTEX, fuel oxygenates, 1,2-DCA, and total lead. No concentrations above reporting limits were detected from soil and groundwater samples collected from borings B1 and B3, except for low concentrations of lead. Boring B2 was drilled near the former dispenser island, near the southwestern corner of the site. TPH-G was detected in this boring at 80 and 390 mg/kg from soil samples collected at a depth of 10 and 15 feet, respectively. Ethylbenzene was detected at 1.1 mg/kg at a depth of 15 feet. The groundwater sample collected at approximately 24.5 feet below ground surface from this boring contained TPH-G at 520 ug/l. Toluene was 0.53 ug/l, 1,2-DCA was 1.1 ug/l, and lead was 29 ug/l. MW-1 was then constructed from boring B2.
7. In a 2 March 2000 letter, the Regional Board directed that monitoring well MW-1 be surveyed, properly developed, and that a groundwater sample be collected and analyzed for TPH-G, BTEX, the fuel oxygenates, 1,2-DCA and EDB. The letter also requested the responsible party(ies) notify all current record owners of fee title to the site of any corrective action or site closure proposals. The letter recommended that Mr. Sharma contact the State Water Resources Control Board, UST Cleanup Fund.
8. Advanced GeoEnvironmental, Inc. issued a letter to Mr. Sharma on 10 May 2000 stating that he had failed to make timely payments throughout the assessment and that they would not perform any additional work until the outstanding balance was paid in full.
9. The Underground Storage Tank Cleanup Fund (Fund) initially refused to issue Mr. Sharma a Letter of Commitment to fund the project due to Mr. Sharma's past failures to comply with County and Regional Board staff directives. Regional Board staff worked with Mr. Sharma's consultant and Fund staff to meet the eligibility requirements and on 15 August 2001 Mr. Sharma was issued a Letter of Commitment for an amount not to exceed \$30,000. However the Dischargers have failed to conduct most of the proposed work.

10. Second and third quarter 2001 monitoring reports showed that MTBE was detected in the on-site monitoring well at 45 and 10 ug/l, respectively. TAME was also detected for both monitoring events at 10 and 1.7 ug/l, respectively. No TPH-G or BTEX compounds were detected above reporting limits. Since the third quarter of 2001, one monitoring event has occurred in March 2006, but the results have not been released to the Regional Water Board because the consultant was not paid.
11. The Regional Board issued a directive letter on 22 June 2005 for Mr. Sharma to resume quarterly monitoring of MW-1 and to submit a sensitive receptor survey by 31 July 2005.
12. The Regional Board issued a second request letter on 24 May 2006 to both Sumittar and Akshma Sharma and the new owner, Pavitter Sahota. As the new owner, Mr. Sahota was directed to complete the tasks in the 22 June 2005 letter.
13. The Regional Board issued a clarification letter on 7 June 2006 explaining to Pavitter Sahota that he, as the current property owner, is a responsible party and as such may be named as a responsible party in accordance with Underground Storage Tank regulations. Sumittar P. Sharma and Akshma K. Sharma were named as the responsible party because they were the property owners and operators of the fueling system when the unauthorized release was discovered.
14. The Fund has reimbursed the Dischargers \$6,385 to date. There is currently over \$1,450,000 available in the UST Fund to pay for the required work.
15. Currently only one monitoring well has been installed and monitored. Monitoring results indicated that the groundwater has been impacted with fuel hydrocarbons and lead. UST Regulations, Section 2652, require the submittal of quarterly status reports. However, the Regional Board has received no monitoring reports since the third quarter of 2001.
16. The extent of groundwater contamination by the fuel hydrocarbons has not been determined. In addition, an elevated concentration of total lead at 110 mg/kg was detected in a soil sample. Lead was detected in concentrations exceeding the MCL of 15 ug/l in three grab groundwater samples at 28 to 29 ug/l, showing elevated lead levels, including possibly tetra ethyl lead, may be present beneath the site.

AUTHORITY – LEGAL REQUIREMENTS

17. Section 13304(a) of the California Water Code provides that:

“Any person who has discharged or discharges waste into waters of the state in violation of any waste discharge requirements or other order or prohibition issued by a regional board or the state board, or who has caused or permitted, causes or permits, or threatens

to cause or permit any waste to be discharged or deposited where it is, or probably will be, discharged into the waters of the state and creates, or threatens to create, a condition of pollution or nuisance, shall upon order of the regional board, clean up the waste or abate the effects of the waste, or, in the case of threatened pollution or nuisance, take other necessary remedial action, including but not limited to, overseeing cleanup and abatement efforts. Upon failure of any person to comply with the cleanup or abatement order, the Attorney General, at the request of the regional board, shall petition the superior court for that county for the issuance of an injunction requiring the person to comply with the order. In the suit, the court shall have jurisdiction to grant a prohibitory or mandatory injunction, either preliminary or permanent, as the facts may warrant.”

18. Section 13304(f) of the California Water Code provides that:

“Replacement water provided pursuant to subdivision (a) shall meet all applicable federal, state and local drinking water standards, and shall have comparable quality to that pumped by the public water system or private well owner prior to the discharge of waste”

19. Section 13267(b)(1) of the California Water Code provides that:

“In conducting an investigation specified in subdivision (a), the regional board may require that any person who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge waste within its region, or any citizen or domiciliary, or political agency or entity of this state who has discharged, discharges, or is suspected of having discharged or discharging, or who proposes to discharge, waste outside of its region that could affect the quality of waters within its region shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires. The burden, including costs, of these reports shall bear a reasonable relationship to the need for the report and the benefits to be obtained from the reports. In requiring those reports, the regional board shall provide the person with a written explanation with regard to the need for the reports, and shall identify the evidence that supports requiring that person to provide the reports.”

20. Section 13304(c)(1) of the California Water Code provides that:

“If the waste is cleaned up or the effects of the waste are abated, or, in the case of threatened pollution or nuisance, other necessary remedial action is taken by any government agency, the person or persons who discharged the waste, discharges the waste, or threatened to cause or permit the discharge of the waste within the meaning of subdivision (a), are liable to that government agency to the extent of the reasonable costs actually incurred in cleaning up the waste, abating the effects of the waste, supervising cleanup or abatement activities, or taking other remedial actions. . .”

21. The State Water Resources Control Board (hereafter State Board) has adopted Resolution No. 92-49, the *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304*. This Policy sets forth the

policies and procedures to be used during an investigation or cleanup of a polluted site and requires that cleanup levels be consistent with State Board Resolution 68-16, the *Statement of Policy With Respect to Maintaining High Quality of Waters in California*. Resolution 92-49 and the Basin Plan establish the cleanup levels to be achieved. Resolution 92-49 requires the waste to be cleaned up to background, or if that is not reasonable, to an alternative level that is the most stringent level that is economically and technologically feasible in accordance with Title 23, California Code of Regulations (CCR) Section 2550.4. Any alternative cleanup level to background must (1) be consistent with the maximum benefit to the people of the state; (2) not unreasonably affect present and anticipated beneficial use of such water; and (3) not result in water quality less than that prescribed in the Basin Plan and applicable Water Quality Control Plans and Policies of the State Board.

22. Chapter IV of the Basin Plan contains the *Policy for Investigation and Cleanup of Contaminated Sites*, which describes the Water Board's strategy for managing contaminated sites. This strategy is based on Water Code Sections 13000 and 13304, the Title 27, Division 2, Subdivision 1 regulations, and State Water Board Resolution Nos. 68-16 and 92-49. The strategy includes site investigation, source removal or containment, information required to be submitted for consideration in establishing cleanup levels, and the bases for establishment of soil and groundwater cleanup levels.
23. The State Board adopted the *Water Quality Enforcement Policy*, which states in part: "*At a minimum, cleanup levels must be sufficiently stringent to fully support beneficial uses, unless the RWQCB allows a containment zone. In the interim, and if restoration of background water quality cannot be achieved, the CAO should require the discharger(s) to abate the effects of the discharge. Abatement activities may include the provision of alternate water supplies.*" (*Enforcement Policy*, p. 19.)
24. The Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins, 4th Edition* (hereafter Basin Plan) designates beneficial uses of the waters of the State, establishes water quality objectives (WQOs) to protect these uses, and establishes implementation policies to implement WQOs. The beneficial uses of the groundwater beneath the site are domestic, municipal, industrial, and agricultural supply.
25. The wastes detected at the site are not naturally occurring. Pollution of groundwater with one or more of these wastes impairs or threatens to impair the beneficial uses of the groundwater.
26. WQOs listed in the Basin Plan include numeric WQOs, e.g., state drinking water maximum contaminant levels (MCLs), and narrative WQOs, including the narrative toxicity objective and the narrative tastes and odors objective for surface and groundwater. Chapter IV of the Basin Plan contains the *Policy for Application of Water Quality Objectives*, which provides that "[w]here compliance with narrative objectives is required (i.e., where the objectives are applicable to protect specified beneficial uses), the Water Board will, on a case-by-case basis, adopt numerical limitations in orders

which will implement the narrative objectives.” The numerical limits for the constituents of concern listed in the following table implement the Basin Plan WQOs.

Constituent	Limits	WQO	Reference
Total Petroleum Hydrocarbons as Gasoline	5 µg/l	Tastes and Odors	McKee & Wolf, <i>Water Quality Criteria</i> , SWRCB, p. 230
MTBE	5 µg/l	Secondary MCL	Federal Register, Vol. 54, No. 97
1,2-DCA	0.4 ug/l	Toxicity	California Public Health Goal (OEHHA)
Lead	2 ug/l	Toxicity	California Public Health Goal (OEHHA)

µg/L= micrograms per liter

27. The constituents listed in Findings 6, 10 and 16 are wastes as defined in California Water Code Section 13050(d). The groundwater exceeds the WQOs for the constituent listed in Findings 6,10 and 16. The exceeding of applicable WQOs in the Basin Plan constitutes pollution as defined in California Water Code Section 13050(l)(1).

DISCHARGER LIABILITY

28. As described in Findings 1 through 4, and Findings 6 and 10, the Dischargers are subject to an order pursuant to Water Code section 13304 because the Dischargers have caused or permitted waste to be discharged or deposited where it has discharged to waters of the state and has created, and continues to threaten to create, a condition of pollution or nuisance. The condition of pollution is a priority violation and issuance or adoption of a cleanup or abatement order pursuant to Water Code Section 13304 is appropriate and consistent with policies of the Water Board.
29. This Order requires investigation and cleanup of the site in compliance with the Water Code, the applicable Basin Plan, Resolution 92-49, and other applicable plans, policies, and regulations.
30. As described in Findings 1 through 3 and Findings 6, 10 and 16, the Dischargers are subject to an order pursuant to Water Code section 13267 to submit technical reports because existing data and information about the site indicate that waste has been discharged, is discharging, or is suspected of discharging, at the property, which is or was owned and/or operated by the Dischargers named in this Order. The technical reports required by this Order are necessary to assure compliance with Section 13304 of

the California Water Code, including to adequately investigate and cleanup the site to protect the beneficial uses of waters of the state, to protect against nuisance, and to protect human health and the environment.

31. If the Dischargers fail to comply with this Order, the Executive Officer may request the Attorney General to petition the superior court for the issuance of an injunction.
32. If the Dischargers violate this Order, the Dischargers may be liable civilly in a monetary amount provided by the Water Code.
33. The issuance of this Order is an enforcement action taken by a regulatory agency and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), pursuant to Title 14 CCR Section 15321(a)(2). The implementation of this Order is also an action to assure the restoration of the environment and is exempt from the provisions of the California Environmental Quality Act (Public Resources Code, Section 21000, et seq.), in accordance with Title 14 CCR, Sections 15308 and 15330.
34. Any person affected by this action of the Central Valley Water Board may petition the State Water Board to review the action in accordance with Title 23 CCR Sections 2050-2068. The regulations may be provided upon request and are available at www.swrcb.ca.gov. The State Board must receive the petition within 30 days of the date of this Order.

REQUIRED ACTIONS

IT IS HEREBY ORDERED that, pursuant to California Water Code Section 13000, Section 13304 and Section 13267, Sumittar P. Sharma and Akshma K. Sharma, and Pavitter Sahota and Paramjit Sahota shall:

1. Investigate the discharges of waste, clean up the waste, and abate the effects of the waste, forthwith, resulting from activities at the P & P Kwik Trip at 4881 Olivehurst Avenue in Olivehurst, California, in conformance with State Board Resolution No. 92-49 *Policies and Procedures for Investigation and Cleanup and Abatement of Discharges Under Water Code Section 13304* and with the Water Board's *Water Quality Control Plan for the Sacramento River and San Joaquin River Basins* (in particular the Policies and Plans listed within the Control Action Considerations portion of Chapter IV). "Forthwith" means as soon as is reasonably possible. Compliance with this requirement shall include, but not be limited to, completing the tasks listed below.
2. All work and reports shall follow the *Appendix A - Reports, Tri-Regional Recommendations for Preliminary Investigation and Evaluation of Underground Storage Tank Sites* (Appendix A - Reports) which is attached and made a part of this Order, and under permits required by State, County, and/or Local agencies.

3. By **15 June 2007**, the Discharger is required to submit, to the best of his or her abilities, a report documenting the site's history since its development as a fuel station, including a chronology of the site's ownership and operator history, as well as all investigative and remedial activity to have occurred at the site. The Discharger is also required to submit a complete list of all record owners of fee title. Section 25296.20(a) of Chapter 6.7 of the California Health and Safety Code requires that all current record owners of fee title to the site be notified of any corrective action or site closure proposals prior to the county or Regional Board considering the proposal.

SITE ASSESSMENT

4. By **31 July 2007**, submit a *Site Investigation Workplan (Workplan)* to collect a sufficient number of soil, soil vapor and groundwater samples to determine the lateral and vertical extent of waste constituents in soil, soil vapor, and groundwater and the complete site characterization. The work plan shall contain the information in Appendix A, which is made part of this Order.
5. Within **30 days** of staff concurrence with the *Workplan*, but no later than **15 September 2007**, implement the work plan.
6. Submit results of the site investigation in a *Preliminary Investigation and Evaluation Report (PIER)* no later than **30 November 2007**. The *PIER* shall include recommendations and, if needed, a second Workplan for additional investigation. If additional investigation is necessary, the Workplan shall include a time schedule for completing the work and submitting the results.
7. Within **30 days** of staff concurrence with the Workplan for additional site assessment, and in accordance with the approved time schedule, implement the Workplan.
8. Upon defining the extent of wastes, but no later than **15 March 2008**, submit a *Problem Assessment Report (PAR)* which includes information from the implementation of the Workplan and sufficient detail on the nature and extent of the release to provide a basis for future decisions regarding subsequent cleanup and abatement actions.

Feasibility Study

9. By **30 April 2008**, submit a Feasibility Study that provides a summary of remedial alternatives evaluated to address applicable cleanup levels for the affected or threatened human health and/or waters of the State. The Feasibility Study shall propose at least two remedial technologies that have a substantial likelihood to achieve cleanup of all impacted soils and groundwater and shall include a schedule for achieving cleanup. The

remedial technologies must be evaluated with respect to their ability to be implemented, cost, and effectiveness. The Feasibility Study shall include the rationale for selecting the preferred remedial alternative. The Discharger shall attempt to clean up each constituent to background concentrations, or to the lowest level that is technically and economically achievable and which complies with all applicable WQOs of the Basin Plan and promulgated water quality criteria.

Remediation

10. Within **90 days** of Water Board staff concurrence with the proposed remedial action described in the Feasibility Study but no later than **1 September 2008**, submit a Final Remedial Plan (FRP). The FRP must include a detailed description of the remedial actions to address cleanup of the entire groundwater plume and source area soils. The FRP shall also include a schedule to implement all remedial actions in compliance with this order.
11. Within 60 days of Water Board staff's approval of the FRP but no later than **15 November 2008**, begin implementation of the approved remedial actions.
12. Submit for remediation system(s), **monthly** status reports for the first three months of operation of any new systems. At a minimum, the monthly status reports shall include:
 - site maps indicating the capture zone and waste plumes,
 - average extraction rates of all treatment systems,
 - influent and effluent concentrations of TPHg, benzene, toluene, ethylbenzene, xylene, MtBE and other fuel oxygenates, 1,2 DCA, EDB, Organic Lead, etc,
 - mass of hydrocarbons treated during the reporting period and cumulative to date,
 - estimated mass of wastes remaining and predicted time frame for meeting cleanup objectives,
 - running and down time for the remediation system(s),
 - summary of consultant visits to the site, and
 - evaluation of the overall remediation program and recommendations to correct deficiencies or increase efficiency.

Groundwater Monitoring

13. Monitor and sample **quarterly** all monitoring wells and threatened offsite water supply wells for TPHg, benzene, toluene, ethyl benzene, total xylenes, fuel oxygenates including MtBE, 1,2-DCA, EDB, and lead until otherwise directed in writing by the Executive Officer or his representative(s). Method Detection Limits (MDLs) shall be derived by the laboratory for each analytical procedure, according to State of California laboratory accreditation procedures. The MDLs shall reflect the detection capabilities of the specific

analytical procedure and equipment used by the lab, rather than simply being quoted from USEPA analytical method manuals. In relatively interference-free water, laboratory-derived MDLs are expected to closely agree with published USEPA MDLs.

14. Submit **Quarterly Status Reports** by the 1st day of the second month after the calendar quarter in which the samples were collected. The first quarter report is due **1 May**, the second quarter report is due **1 August**, the third quarter report is due **1 November**, and the fourth quarter report is due **1 February**. Quarterly reports are to include the information specified in Appendix A.

Risk Assessment

15. By **30 November 2007** submit a risk assessment to demonstrate whether the contamination poses unacceptable risks to human health or the environment. The site-specific risk assessment must use the Office of Environmental Health Hazard Assessment (OEHHA) toxicity data (California cancer slopes). If the risk assessment suggests that the contamination poses a threat to human health, the report shall include a workplan to abate the risk or exposure. The risk assessment is to also include a sensitive receptor survey within 2,000 feet of the site boundary. The proposed abatement work shall begin within 60 days of approval by Water Board staff, or by **31 March 2008**, whichever is sooner.

Public Participation

16. By **15 January 2008**, submit a *Public Participation Plan*. The *Public Participation Plan* shall solicit the public's concerns and disseminate information to the public regarding the investigation and proposed cleanup activities at the sites. The *Public Participation Plan* shall be updated as necessary to reflect any significant changes in the degree of public interest as the site investigation and cleanup process moves toward completion.

General Requirements

17. As required by the California Business and Professions Code Sections 6735, 7835, and 7835.1, have appropriate reports prepared by, or under the supervision of, a registered professional engineer or geologist and signed by the registered professional. All technical reports submitted by the Discharger shall include a cover letter signed by the Discharger, or an authorized representative, certifying under penalty of law that the signer has examined and is familiar with the report and that to their knowledge, the report is true, complete, and accurate. The Discharger shall also state if they agree with any recommendations/proposals and whether they approved implementation of said proposals.

18. Upon startup of any remediation system(s), operate the remediation system(s) continuously, except for periodic and required maintenance or unpreventable equipment failure. The Discharger shall notify the Water Board within 24 hours of any unscheduled shutdown of the remediation system(s) that lasts longer than 48 hours. This notification shall include the cause of the shutdown and the corrective action taken (or proposed to be taken) to restart the system. Any interruptions in the operation of the remediation system(s), other than for maintenance, emergencies, or equipment failure, without prior approval from Water Board staff or without notifying the Water Board within the specified time is a violation of this Order. Within 7 working days of a shutdown, the Dischargers shall submit a Technical Report containing at a minimum, but not limited to the following information:
 - times and dates equipment were not working,
 - cause of shutdown,
 - if not already restarted, a time schedule for restarting the equipment, and,
 - a Cleanup Assurance Plan to ensure that similar shutdowns do not reoccur. Proposed Cleanup Assurance Plans are to be completed within 30 days of the system shutdown.
19. Notify Water Board staff at least three working days prior to any onsite work, testing, or sampling that pertains to environmental remediation and investigation and is not routine monitoring, maintenance, or inspection.
20. Obtain all local and state permits and access agreements necessary to fulfill the requirements of this Order prior to beginning the work.
21. Continue any remediation or monitoring activities until such time as the Executive Officer determines that sufficient cleanup has been accomplished to fully comply with this Order and this Order has been either amended or rescinded in writing.
22. Optimize remedial systems as needed to improve system efficiency, operating time, and/or waste removal rates, and report on the effectiveness of the optimization in the quarterly reports.
23. Maintain a sufficient number of monitoring wells to completely define and encompass the waste plume(s). If groundwater monitoring indicates the waste in groundwater has migrated beyond laterally or vertically defined limits during the quarter, then the quarterly monitoring reports must include a work plan and schedule, with work to begin within thirty days of Water Board staff approval, to define the new plume limits.
24. Electronic copies of all reports and analytical results are to be submitted over the Internet to the State Water Board Geographic Environmental Information Management System database (GeoTracker) at <http://geotracker.swrcb.ca.gov>. Electronic submittals shall comply with GeoTracker standards and procedures as specified on the State Board's web site.

25. If the Discharger is unable to perform any activity or submit any document in compliance with the schedule set forth herein, or in compliance with any work schedule submitted pursuant to this Order and approved by the Executive Officer, the Discharger may request, in writing, an extension of the time specified. The extension request shall include justification for the delay. Any extension request shall be submitted as soon as the situation is recognized and no later than the compliance date. An extension may be granted by revision of this Order or by a letter from the Executive Officer. Extension requests not approved in writing by the Executive Officer with reference to this order are denied.
26. All work and directives referenced in this Order are required regardless of whether or not the UST Cleanup Fund approves the work for reimbursement.
27. If, in the opinion of the Executive Officer, the Discharger fails to comply with the provisions of this Order, the Executive Officer may refer this matter to the Attorney General for judicial enforcement or may issue a complaint for administrative civil liability.

This Order is effective upon the date of signature.

Original Signed

PAMELA C. CREEDON
Executive Officer

27 April 2007

(Date)